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prohibited by court order**UNITED STATES DISTRICT COURT**

for the

Southern District of Texas

United States Courts
Southern District of Texas

FILED

June 18, 2024

Nathan Ochsner, Clerk of Court

United States of America

v.

Ali Ahmed

Case No.

4:24-mj-268

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 23, 2023 to present in the county of Fort Bend in the
Southern District of Texas, the defendant(s) violated:*Code Section*18 U.S.C. 875(c)
18 U.S.C. 844(e)
18 U.S.C. 2261A*Offense Description*Interstate Communication with a Threat to Kidnap or Injure
Explosive Materials – Willfully Make a Threat
Interstate Stalking

This criminal complaint is based on these facts:

See attached affidavit

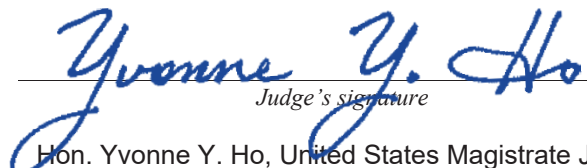
☒ Continued on the attached sheet.

Complainant's signature

Amy Avila, FBI Special Agent

Printed name and title

Sworn to before me and signed by telephone

Date: June 18, 2024City and state: Houston, Texas

Judge's signature

Hon. Yvonne Y. Ho, United States Magistrate Judge

Printed name and title

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AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Amy Avila, being duly sworn, depose and state the following:

1. I am Special Agent with the Federal Bureau of Investigation (FBI). I have been in this position since June 2004. As a special agent with the FBI assigned to a domestic terrorism squad, I have been trained in conducting investigations related to domestic terrorism and related criminal violations. I have also received training on the execution of search warrants to seize items of evidence from residences, vehicles, persons, communication providers, and electronic devices, such as cell phones and computers. As such, I am an "investigative or law enforcement officer" of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code.
2. I am making this Affidavit in support of a criminal complaint to be presented to the United States District Court for the Southern District of Texas in the matter of United States v. **Ali Ahmed**.
3. This complaint charges that on or about February 3, 2024, in the Southern District of Texas, **Ali Ahmed**, through the use of online social media, an instrument of interstate or foreign commerce, willfully made a threat to kill, injure, and intimidate Derek Middlebrook, and unlawfully made a threat to damage and destroy a building, by means of fire or an explosive, in and affecting interstate or foreign commerce, in violation of Title 18, United States Code, Section 844(e).
4. This complaint charges that on or about January 29, 2024 and continuing through May 13, 2024, in the Southern District of Texas, **Ali Ahmed**, knowingly and willfully did transmit in interstate and foreign commerce from Richmond, Texas, to Mississippi, California, Louisiana, Tennessee, and Pennsylvania, social media and/or cellular communications to Walt Heath, Kerry Zasoski, Edward Reid Cooper, Spencer Nessel, Shelby Grady, Emma Wann, Betsy Bruening, Cayman Tomsic, Chaz Lindsay, John Quick, and Misha Hercules and the communications contained a threat to kidnap and/or injure Walt Heath, Kerry Zasoski, Edward Reid Cooper, Spencer Nessel, Shelby Grady, Emma Wann, Betsy Bruening, Cayman Tomsic, Chaz Lindsay, John Quick, and Misha Hercules, specifically the messages stated threats about how the victim's lives would be ending and that **Ali Ahmed** would bury the victims and their families in violation of Title 18, United States Code, Section 875(c).

5. This complaint charges that on or about December 27, 2023, January 23, 2024, April 8, 2024, and June 9, 2024 in the Southern District of Texas and elsewhere, **Ali Ahmed** traveled in interstate commerce from Richmond, Texas to Jackson, Mississippi, and from Richmond, Texas to Philadelphia, Pennsylvania and from Richmond, Texas to Espanola, New Mexico with the intent to injure and harass another person, Claire Whitehurst, and in the course and as a result of such travel, placed Claire Whitehurst in reasonable fear of death or serious bodily injury and caused substantial emotional distress to Claire Whitehurst, in violation of Title 18, United States Code, Section 2261A.
6. I base this summary of the facts upon information from my personal investigation and upon facts provided by witnesses which have proven to be true and correct through independent investigation. This is a summary of the basic facts and not a complete description of all the information in the case.

PROBABLE CAUSE

- I. **18 United States Code, § 844(e): Explosive Materials – Willfully Make a Threat**
 7. On or about February 3, 2024, your Affiant spoke with Derek Middlebrook who reported that he knew **Ali Ahmed** from high school and college. Derek Middlebrook stated that **Ali Ahmed** sent him a post on Instagram from account aliahmed120989, threatening to bomb the End of All Music venue in Jackson, Mississippi during the band Parrot Weather’s performance. Derek Middlebrook is the owner of the End of All Music venue. **Ali Ahmed** posted: ***“I am gonna bomb your show virgin! Virgin suicides!”***. Derek Middlebrook believed this to be a credible threat and reported the threat to the Federal Bureau of Investigations Jackson, Mississippi Office.
- II. **18 United States Code, § 875(c): Interstate Communication with a Threat to Kidnap or Injure**
 8. Your Affiant spoke with Heath Walt who stated that on or about January 29, 2024, he received a threat from **Ali Ahmed** through Instagram account aliahmed34202. **Ali Ahmed** stated, ***“I am gonna hang you ugly ass nigger! You look like a virgin! Did Derek pop your cherry?”***. Heath Walt stated that he received the threat in Mississippi and provided your Affiant with a copy of the threat.
 9. Your Affiant spoke with Kerry Zasoski who stated that on or about March 5, 2024, she received threats from **Ali Ahmed** through Instagram account rosalienolanisaretard. **Ali Ahmed** stated,

“Get the fuck out of Mississippi you fat ugly! I will put your family in the grave if you don’t get the fuck out! You are like a retard!”. Kerry Zasoski stated that she received the threat in North Carolina and provided your Affiant with a copy of the threat.

10. Your Affiant spoke with Edward Reid Cooper who stated that on or about April 20, 2024, he received threats from **Ali Ahmed** through Instagram account ali506ahmed2024. **Ali Ahmed** stated, ***“You are going to lose your life!”***. Edward Reid Cooper stated that he received this threat in Louisiana and provided your Affiant with a copy of the threat.
11. On April 25, 2024, your Affiant interviewed **Ali Ahmed** at the Federal Bureau of Investigation located at 1 Justice Park Drive, Houston, Texas. **Ali Ahmed** was shown copies of the Instagram threats that were sent to Derek Middlebrook, Kerry Zasoski, and Edward Reid Cooper and **Ali Ahmed** admitted that he had made those threats via Instagram. **Ali Ahmed** provided several Instagram accounts that he had used, to include the following: ali2077sbf, ali2077ahmed, rosalienolanisaretard12091989, getoffmyass12091989, ali506ahmed2024, ali301989sbf, ali22sbf, and ali22bat. **Ali Ahmed** explained that there may be more Instagram accounts that he created, but he was unable to remember all of the Instagram handles because his Instagram accounts were continuously suspended due to the threats he posted on Instagram. Therefore, **Ali Ahmed** said he creates a new Instagram account each time an account is suspended. **Ali Ahmed** told your Affiant that he currently has two phones, telephone numbers (832) 451-2050 and (601) 919-5758.
12. On or about April 26, 2024, one day after your Affiant met with **Ali Ahmed** to discuss the threatening messages he was sending via Instagram, your Affiant spoke with Spencer Nessel who stated he received a threat from Instagram account ali506ahmed2024. **Ali Ahmed** stated, ***“You are going to lose your life!”***. Spencer Nessel stated that he received the threat in Louisiana and provided your Affiant with a copy of the threat.
13. Your Affiant spoke with Shelby Grady who stated that on or about April 27, 2024, she received a threat from Instagram account ali506ahmed2024. **Ali Ahmed** stated, ***“You and all of your families are going to be buried alive!”***. Shelby Grady stated that she received the threat in Tennessee and provided your Affiant with a copy of the threat.
14. Your Affiant spoke with Emma Wann who stated that on or about April 27, 2024, she received a text message threat from telephone number (601) 919-5758. The text message, sent from **Ali Ahmed’s** phone number, stated, ***“I am going to bury you and your family!”***. Emma Wann

stated that she received the threat in Mississippi and provided your Affiant with a copy of the threat.

15. Your Affiant spoke with Betsy Bruening who stated that on or about April 27, 2024, she received a threatening message request from **Ali Ahmed** on Instagram. In that message, **Ali Ahmed** stated, ***"You are going to lose your life!"***. Betsy Bruening told your Affiant that she received this threat in Mississippi and provided your Affiant with a copy of the threat.
16. On or about April 28, 2024, your Affiant spoke with Cayman Tomsic who stated that he is friends with one of **Ali Ahmed's** friends on Instagram. Cayman Tomsic stated that he received this threat in California. Cayman Tomsic stated that he received threats, which he provided a copy of to your Affiant, from **Ali Ahmed's** Instagram account ali2077sbf. Your Affiant read the following exchange that occurred between Cayman Tomsic and **Ali Ahmed**:

Ahmed: ***"You are going to lose your life!"***
"You are done"

Cayman Tomsic: ***"Nah I got a little but left in the tank :)"***

Ahmed: ***"I am going to bury everyone with you."***
"Where are you?"
"I am cominf (sic)"

Cayman Tomsic: ***"Everyone? That's a tall order"***

Ahmed: ***"I am like as tall as Miesha Hercules"***
"Albino faggot"

Cayman Tomsic: ***"You're being a bit stinky so I've gotta go :)"***

Ahmed: ***"I am coming over"***
"I am gonna rape you"
"You are so pretty"

17. Your Affiant spoke with Clay Johnson who stated that on or about April 29, 2024, he received a threatening text message from telephone number (601) 919-5758. The text message, sent from **Ali Ahmed's** phone number, stated, ***"Your life is going to end!"***. Clay Johnson told your Affiant that he received this threat in Texas and provided your Affiant with a copy of the threat.
18. Your Affiant spoke with Chaz Lindsay who stated that on or about April 29, 2024, he received a threatening message from telephone number (601) 919-5758. The text message, sent from **Ali Ahmed** phone number, stated, ***"How is face now? Still look like a pig? Your face looks like olive***

oil from Popeye the sailor man! I am gonna bury everyone who is associated with your restaurant!”. Chaz Lindsay told your Affiant that he received this threat in Mississippi and provided your Affiant with a copy of the threat.

19. Your Affiant spoke with John Quick who stated that on or about April 29, 2024, he received a message request from **Ali Ahmed’s** Instagram account ali506ahmed2024. In that message, **Ali Ahmed** stated, *“Your life is over!”*. John Quick told your Affiant that he received this threat in Pennsylvania and provided your Affiant with a copy of the threat.
20. On May 14, 2024, your Affiant once again interviewed **Ali Ahmed** at the Federal Bureau of Investigation located in Houston, Texas. **Ali Ahmed** provided a timeline on places he has traveled. **Ali Ahmed** confirmed that in April 2024 he traveled to Philadelphia, PA for a job interview. **Ali Ahmed** was asked about and shown each threat, detailed above, that were sent to Spencer Nessel, Shelby Grady, Emma Wann, Betsy Bruening, Cayman Tomsic, Clay Johnson, Chaz Lindsay, and John Quick since his interview on April 25, 2024. **Ali Ahmed** was asked about each Instagram handle, telephone number, and email address from which the threats were made. **Ali Ahmed** admitted to making each threat and he stated that the Instagram and phone accounts were all his. **Ali Ahmed** was asked about the threats regarding burying individuals and their families. **Ali Ahmed** stated he wanted to physically bury these individuals underground. **Ali Ahmed** said he was also hoping to provoke the individuals he was threatening into confronting him so that **Ali Ahmed** could physically hurt them. **Ali Ahmed** stated that his current Instagram handle is dinosaur.75673. **Ali Ahmed** acknowledged that the threats were serious and wrong but claims they are in retaliation for something he believes to have happened 10-15 years ago when he was in college. **Ali Ahmed** stated that the threats were directed at people he knew from college. **Ali Ahmed** stated that Derek Middlebrook was his roommate in college. **Ali Ahmed** stated that while in college, he believes Derek Middlebrook assaulted him while he slept. When your Affiant questioned **Ali Ahmed** about this alleged assault in college, **Ali Ahmed** stated that he did not wake up from the assault, he did not remember the assault, nor did he have any injuries from the assault. When your Affiant asked **Ali Ahmed** why he believed he was assaulted, considering he did not remember the assault or have any injuries, **Ali Ahmed** stated he started to get headaches and attributed his headaches to the alleged assault.
21. Your Affiant spoke with Misha Hercules who stated that on or about May 13, 2024, at 8:00 p.m. he received a threatening Instagram message from **Ali Ahmed’s** Instagram account

dinosaur.75673. **Ali Ahmed** stated, ***“Wake up! You are not a good looking guy! I don’t even think you look like a white person! You retarded faggot! I am bury everyone associated with you! This is not a joke you stupid nigger!”***. Misha Hercules stated that he received this threat in California and provided your Affiant with a copy of the threat.

III. **18 United States Code, § 2261A: Interstate Stalking**

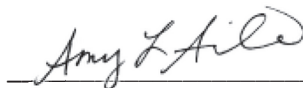
22. Your Affiant spoke with Claire Whitehurst who stated that **Ali Ahmed** has been stalking her for several years, however in the last six months, **Ali Ahmed** has tracked her down in Mississippi, Pennsylvania, and New Mexico. Claire Whitehurst stated she and **Ali Ahmed** grew up in the same town in Mississippi, but she stated that **Ali Ahmed** is older than her. Claire Whitehurst stated she was visiting friends in Jackson, Mississippi in December of 2023. While there, Claire Whitehurst went to a bar with friends. When Claire Whitehurst and her friends were about to leave the bar, the bartender stopped them and said there was a suspicious male outside threatening to beat them up. The group then realized that it was **Ali Ahmed**. The bartender called the Jackson Police Department and Claire Whitehurst provided a voluntary statement to the Capitol Police Department in Jackson, MS on December 27, 2023.
23. On or about January 23, 2024, **Ali Ahmed** physically showed up several times to Claire Whitehurst’s place of employment located in Philadelphia, PA. The first time **Ali Ahmed** went to Claire Whitehurst’s place of employment, Claire Whitehurst was not at work. The second time, Claire Whitehurst was at work, but **Ali Ahmed** just spoke to the manager. **Ali Ahmed** was acting very aggressively so the manager called the police. Claire Whitehurst reported to the Philadelphia Police Department that **Ali Ahmed** has been stalking her for approximately 15 years. The Philadelphia Police Department filed an incident report detailing the information provided by Claire Whitehurst. On April 8, 2024, **Ali Ahmed** showed up again at Claire Whitehurst’s place of employment in Philadelphia, PA. The manager called the police and when the Philadelphia Police Department arrived, **Ali Ahmed** became agitated and began yelling at them. Another incident report was filed.
24. On June 9, 2024, **Ali Ahmed**, contacted your Affiant from telephone number (832) 451-2050, and stated that he had found a job in Espanola, NM working at Domino Pizza. When asked where **Ali Ahmed** was living, **Ali Ahmed** explained that he is staying at a Motel 6. Your Affiant contacted Claire Whitehurst who stated that she moved to Taos, NM on June 5, 2024. Your

Affiant learned that Espanola, NM and Taos, NM are approximately 47 miles apart. Claire Whitehurst stated that she is fear for her life and has been caused serious emotional distress by **Ali Ahmed's** continued interstate stalking. Your Affiant believes that **Ali Ahmed's** aggressive behavior when he has attempted to contact Claire Whitehurst in Mississippi and Pennsylvania demonstrates **Ali Ahmed's** intent to injure or harass Claire Whitehurst.

25. On June 4, 2024, Instagram provided subscriber information for ali22b2023, screen name **Ali Ahmed**, verified by phone number (832) 451-2050; ali22bat, registered email ali22bat@gmail.com; aliahmed120989, screen name Ali, verified email address aliahmed120989@gmail.com; ali506ahmed2024, screen name **Ali Ahmed**, verified email address ali506ahmed@gmail.com; aliahmed301989, screen named **Ali Ahmed**, verified email address aliahmed301989@gmail.com; ali2077sbf, screen name **Ali Ahmed**, verified email address ali2077sbf@gmail.com; aaaaaaa11525, verified by phone number (317) 540-3893; rosalienolanisaretard, screen name **Ali**, verified email address rosalienolanisaretard@gmail.com; ali2077ahmed, screen name **Ali Ahmed**, verified by phone number 923423915485.

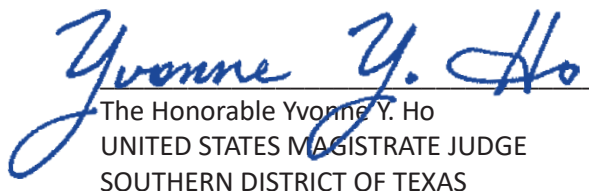
CONCLUSION

Based on the foregoing facts, I believe that probable cause exists to establish that **Ali Ahmed** while in the Southern District of Texas has violated 18 United States Code, Section 844(e) (Explosive Materials – Willfully Make a Threat), 18 United States Code, Section 875(c) (Interstate Communication with a Threat to Kidnap or Injure), and 18 United States Code, Section 2261A (Interstate Stalking).



Amy Avila, Special Agent
Federal Bureau of Investigation (FBI)

SUBSCRIBED AND SWORN TO me telephonically this 18th day of June 2024, and I find probable cause.



The Honorable Yvonne Y. Ho
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF TEXAS